

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FILED  
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U.S. DISTRICT COURT  
★ FEB 16 2016 ★

-----x  
FRANCISCO HERNANDEZ,

Plaintiff,

-against-

O'KEEFE LEASHOLD CORP., et al.,

Defendants.  
-----x

BROOKLYN OFFICE

NOT FOR PUBLICATION  
**MEMORANDUM & ORDER**  
14-CV-6913 (CBA) (SMG)

**AMON, Chief United States District Judge:**

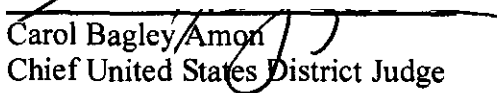
Before the Court is the Report and Recommendation (“R&R”) of the Honorable Steven M. Gold, United States Magistrate Judge, dated January 21, 2016. The R&R concludes that the settlement agreement reached by the parties is a “reasonable compromise of disputed issues [rather] than a mere waiver of statutory rights brought about by an employer’s overreaching.” Le v. SITA Info. Networking Computing USA, Inc., No. 07-CV-86 (JS) (MLO), 2008 WL 724155, at \*1 (E.D.N.Y. Mar. 13, 2008) (internal quotation marks and citation omitted); see also Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199, 206 (2d Cir. 2015) (holding that “stipulated dismissals settling FLSA claims with prejudice require the approval of the district court”). Accordingly, Magistrate Judge Gold recommends that the Court approve the settlement and enter the parties’ proposed Stipulation and Order of Dismissal, (D.E. # 22). (D.E. # 26.) No party has objected to the R&R and the time for doing so has passed.

When deciding whether to adopt an R&R, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). To accept those portions of the R&R to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (internal quotation marks

omitted). The Court has reviewed the R&R and, finding no clear error, adopts Magistrate Judge Gold's recommendation that the Court approve the settlement. An endorsed Stipulation and Order of Dismissal will be entered accordingly.

SO ORDERED.

Dated: February *12*, 2016  
Brooklyn, New York

s/Carol Bagley Amon  
  
Carol Bagley Amon  
Chief United States District Judge